



1773
Attorney Docket No. 49443 DIV (70904)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Iwata, et al.

EXAMINER: Bernatz, Kevin M.

SERIAL NO.: 09/990,428

GROUP: 1773

FILED: November 21, 2001

FOR: Magneto-Optical Recording Medium and Reproducing Device

BOX NON-FEE AMENDMENT
Commissioner for Patents
Washington, D.C. 20231

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Box Non-Fee Amendment, Commissioner for Patents, Washington, D.C. 20231 on April 9, 2003.

By: Helen Murray Tarbi

Helen Murray Tarbi

RESPONSE TO OFFICE ACTION

Sir:

The following is in response to the Office Action mailed March 12, 2003, in the above referenced application.

Applicants believe that no extension of time is required since this response is being filed before the expiration of the specified one-(1) month period. Applicants, however, conditionally petition for an extension of time to provide for the possibility that the need for such a petition has been inadvertently overlooked. As provided below charge Deposit Account No. **04-1105** for any required fee.

Please amend the subject application as follows:

CLAIMS

Cancel claim 1 without prejudice.

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RESTRICTION REQUIREMENT

In the above referenced Office Action, the Examiner provided that the pending claims are directed to more than one patentably distinct invention. Specifically, the claims are directed to two (2) distinct inventions: Group I including claim 1 and 18 drawn to a magneto-optical recording medium and Group II including claim 17 and 19 drawn to process of and an apparatus for using a magneto-optical recording medium.

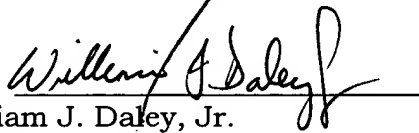
Accordingly, Applicant was requested under 35 U.S.C. §121 to elect the invention to which prosecution on the merits will be restricted. In this regard, Applicant elects, without traverse, Group I, which includes claims drawn to a magneto-optical medium, presently embodied in claim 18, claim 1 being cancelled.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

Applicant believes that additional fees are not required for consideration of the within Response. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Date: April 9, 2003

Respectfully submitted,
EDWARDS & ANGELL, LLP

By: 
William J. Daley, Jr.
(Reg. No. 35,487)
P.O. Box 9169
Boston, MA 02209
(617) 439- 4444